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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,935	11/29/2000	George G. Robertson	MS1-623US	2819

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EXAMINER

NGUYEN, CAO H

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/728,935

Applicant(s)

Robertson et al.

Examiner

Cao (Kevin) Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Nov 29, 2000
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Nov 29, 2000 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hearst (US Patent No. 6,223,145 B1) in view of Ng et al. (US Patent No. 6,258,366 B1).

Regarding claim 1, Hearst discloses a method comprising specifying an object having first and second intersecting hierarchies (.first group object and second group object; see

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abstract); illustrating the object with respect to the first hierarchy (col. 7, lines 6-29); however, Hearst fails to explicitly teach presenting a second intersecting hierarchy selection option to illustrate the object with respect to the second intersecting hierarchy in response to user selection.

Ng teaches presenting a second intersecting hierarchy selection option to illustrate the object with respect to the second intersecting hierarchy in response to user selection (see col. 8, lines 20-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide presenting a second intersecting hierarchy selection option to illustrate the object with respect to the second intersecting hierarchy in response to user selection as taught by Ng to the interactive interface for specifying searches of Hearst, in order to display management of and selective presentation of tree levels and tree branches in the hierarchy tree of an information system.

Regarding claim 2, Hearst discloses wherein the object is illustrated with respect to the first intersecting hierarchy as a three-dimensional structure (see col. 5, lines 15-60).

Regarding claim 3, Hearst discloses wherein the first and second hierarchies are determined by an administrator (see col. 8, lines 16-44).

Regarding claim 4, Ng discloses wherein the first and second intersecting hierarchies comprise a plurality of additional objects; wherein the method further comprises presenting context sensitive information for the object and an additional object, the context sensitive information for the additional object comprising an indication of a third hierarchy; and choosing the indication corresponding to the third hierarchy; and in response to choosing: (a) if the first

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hierarchy intersects the third hierarchy, illustrating both the object and the; additional object with respect to the third hierarchy; and (b) if the first hierarchy does not intersect the third hierarchy, illustrating only the additional object with respect to the third hierarchy (see col. 4, lines 11-67 and col. 5, lines 15-53).

Regarding claim 5, Ng discloses in response to the specifying (a) displaying additional objects that correspond the object; (b) exposing one or more attributes that correspond to the object; choosing an attribute; and in response to the choosing, filtering the additional objects based on the chosen attribute (see col. 3, lines 40-63 and figure 1-A).

Regarding claim 6, Ng discloses selecting the second intersecting hierarchy selection option; and in response to the selecting, illustrating the object with respect to the second intersecting hierarchy (see col. 6, lines 19-60).

Regarding claim 7, Hearst discloses wherein the illustrating further comprises visually morphine from the first intersecting hierarchy to the second intersecting hierarchy (see col. 10, lines 35-67).

Regarding claim 8, Hearst discloses visually morphine from the first intersecting hierarchy to the second intersecting hierarchy, one or more additional objects being illustrated with respect to the first intersecting hierarchy; and the visually morphine comprising simultaneously illustrating at least a portion of both the first and second intersecting hierarchies and graphically pivoting about the object to temporarily show a relationship of the objects with respect to the first and second to intersecting hierarchies (see col. 12, lines 21-54).

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Regarding claim 9, Hearst discloses visually morphine from the first intersecting hierarchy to the second intersecting hierarchy, one or more additional objects being illustrated with respect to the first intersecting hierarchy; and the visually morphine comprising: is overlaying at least a portion of both the first and second intersecting hierarchies simultaneously to temporarily illustrate a relationship of the objects with respect to the first and second intersecting hierarchies (see col. 14, lines 6-67).

Regarding claim 10, Hearst discloses wherein the object is a first object, and the method further comprises displaying a second object that corresponds to the specified first object; selecting the second object; and in response to selecting, illustrating both the first and second objects with respect to the first intersecting hierarchy (see col. 15, lines 6-67).

As claims 11-13 are analyzed as previously discussed with respect to claims 5-7 above.

Claim 14 differs from claim 1 in that "switching from the first hierarchy of information to a second hierarchy of information to present the object within the second hierarchy of information" which read on Ng (see col. 11, lines 35-56).

Regarding claims 15 and 16, Hearst discloses wherein the presenting and the switching are performed using three-dimensional graphical objects; and wherein the switching further comprises gradually turning an image of the first hierarchy of information into the second hierarchy of information, such that at least a portion of both the first and second hierarchies are momentarily visible (see figures 5-9).

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As claims 17-21 are analyzed as previously discussed with respected to claims 1-4 and 8-16 above.

Regarding claim 22, Hearst discloses a method comprising presenting a first object and a second object with respect to a first hierarchy of a polyarchy; selecting a second hierarchy of the polyarchy; and in response to the selecting, presenting the first and second objects with respect to the second hierarchy (see col. 14, lines 23-67 and figures 15-17).

Regarding claim 23, Hearst comprising managing the first and second objects with respect to the first and second hierarchies (see col. 16, lines 25-55).

As claims 24-26 are analyzed as previously discussed with respected to claims 1-4 and 8-16 above.

Claim 27 differs from claim 1 in that "the graphical user interface further comprises a fourth area to display the specified object and additional objects that correspond to the specified object, the fourth area facilitating user selection of an additional object so that, upon selection of the additional object, the second area is changed to illustrate the object and the additional object within the current hierarchy" which read on Ng (see col. 3, lines 25-50 and col. 8, lines 20-59).

As claims 30-41 are analyzed as previously discussed with respected to claims 1-4 and 8-16 and 22-27 above.

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***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

***Response***

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7239 may be used for formal communications or (703) 746-7240 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

***Inquires***


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

  
CAO (KEVIN) NGUYEN  
PRIMARY EXAMINER  
June 26, 2003

